

Application No. 10/765,252
Paper Dated: April 6, 2009
In Reply to USPTO Correspondence of March 6, 2009
PPG Case No. 1908A1
Attorney Docket No. 3948-035031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/765,252 Confirmation No. 9565
Appellant : THOMAS G. RUKAVINA
Filed : January 27, 2004
Title : URETHANE POLYOL PRECURSORS FOR
COATING COMPOSITIONS
Group Art Unit : 1794
Examiner : Tran, Thao T
Customer No. : 24959

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated March 6, 2009, Appellant hereby submits the following "Status of Claims" section which is believed to place the Appeal Brief in compliance with 37 CFR 41.37(c)(1)(iii). As the Examiner indicated, a new Appeal Brief is not required; therefore, only the Status of Claims section is submitted herewith.

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on April 6, 2009.

04/06/2009 Florence P. Trevethan
Date Signature
Florence P. Trevethan
Typed Name of Person Signing Certificate

Application No. 10/765,252
Paper Dated: April 6, 2009
In Reply to USPTO Correspondence of March 6, 2009
PPG Case No. 1908A1
Attorney Docket No. 3948-035031

III

STATUS OF CLAIMS

Claims 1-9 are currently pending in this application.

Claims 1-9 stand finally rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 1-9 stand finally rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Appellant regards as the invention.

Claims 1-6 and 8-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 3,917,570 to Chang et al. (hereinafter "the Chang patent").

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the Chang patent in view of United States Patent No. 4,264,752 to Watson (hereinafter "the Watson patent").

Claims 10-23 were canceled by an Amendment dated March 19, 2008.

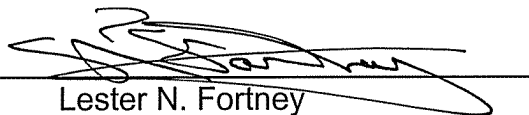
Application No. 10/765,252
Paper Dated: April 6, 2009
In Reply to USPTO Correspondence of March 6, 2009
PPG Case No. 1908A1
Attorney Docket No. 3948-035031

REMARKS

Reversal of the claim rejections and allowance of the pending application
are respectfully requested.

Respectfully submitted,
THE WEBB LAW FIRM

By



Lester N. Fortney
Registration No. 38141
Attorney for Appellant
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com